



Security Council

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ORIGINAL: ENGLISH

SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/23370 and Corr.1 of 9 January 1992, S/23370/Add.1 of 17 January 1992 and S/23370/Add.3 of 7 February 1992.

During the week ending 22 February 1992 the Security Council took action on the following items:

The situation in the Middle East (see S/7913, S/7923, S/7976, S/8000, S/8048, S/8066, S/8215, S/8242, S/8252, S/8269, S/8502, S/8525, S/8534, S/8564, S/8575, S/8584, S/8595, S/8747, S/8753, S/8807, S/8815, S/8828, S/8836, S/8885, S/8896, S/8960, S/9123, S/9135, S/9319, S/9382, S/9395, S/9406, S/9427 and Corr.1, S/9449, S/9452, S/9805, S/9812, S/9930, S/10327, S/10341, S/10554, S/10557, S/10703, S/10721, S/10729, S/10743, S/10770/Add.4, S/10855/Add.15, S/10855/Add.16, S/10855/Add.23, S/10855/Add.24, S/10855/Add.29, S/10855/Add.30, S/10855/Add.33, S/10855/Add.41, S/10855/Add.43, S/10855/Add.44, S/11185/Add.14, S/11185/Add.15, S/11185/Add.16, S/11185/Add.21, S/11185/Add.42/Rev.1, S/11185/Add.47, S/11593/Add.15, S/11593/Add.21, S/11593/Add.29, S/11593/Add.42, S/11593/Add.49, S/11935/Add.21, S/11935/Add.42, S/11935/Add.48, S/12269/Add.12, S/12269/Add.13, S/12269/Add.21, S/12269/Add.42, S/12269/Add.48, S/12520/Add.10, S/12520/Add.11, S/12520/Add.17, S/12520/Add.21, S/12520/Add.37, S/12520/Add.39, S/12520/Add.42, S/12520/Add.47, S/12520/Add.48, S/13033/Add.2, S/13033/Add.16, S/13033/Add.19, S/13033/Add.21, S/13033/Add.23, S/13033/Add.34, S/13033/Add.47, S/13033/Add.50, S/13737/Add.15, S/13737/Add.16, S/13737/Add.21, S/13737/Add.24, S/13737/Add.25, S/13737/Add.26, S/13737/Add.33, S/13737/Add.47, S/13737/Add.50, S/14326/Add.10, S/14326/Add.11, S/14326/Add.20, S/14326/Add.24, S/14326/Add.28, S/14326/Add.29, S/14326/Add.47, S/14326/Add.50, S/14840/Add.8, S/14840/Add.21, S/14840/Add.22, S/14840/Add.23,

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S/14840/Add.24, S/14840/Add.25, S/14840/Add.27, S/14840/Add.30, S/14840/Add.31, S/14840/Add.32, S/14840/Add.33, S/14840/Add.37, S/14840/Add.42, S/14840/Add.48, S/15560/Add.3, S/15560/Add.21, S/15560/Add.29, S/15560/Add.37, S/15560/Add.42, S/15560/Add.45, S/15560/Add.47, S/15560/Add.48, S/16270/Add.6, S/16270/Add.7, S/16270/Add.8, S/16270/Add.15, S/16270/Add.20, S/16270/Add.21, S/16270/Add.34, S/16270/Add.35, S/16270/Add.40, S/16270/Add.47, S/16880/Add.8, S/16880/Add.9, S/16880/Add.10, S/16880/Add.15, S/16880/Add.20, S/16880/Add.21, S/16880/Add.41, S/16880/Add.46, S/17725/Add.2, S/17725/Add.15, S/17725/Add.21, S/17725/Add.28, S/17725/Add.35, S/17725/Add.38, S/17725/Add.43, S/17725/Add.47, S/18570/Add.2, S/18570/Add.21, S/18570/Add.30, S/18570/Add.47, S/19420/Add.2, S/19420/Add.3, S/19420/Add.4, S/19420/Add.18, S/19420/Add.19, S/19420/Add.22 and Corr.1, S/19420/Add.30, S/19420/Add.48, S/19420/Add.50, S/20370/Add.4, S/20370/Add.12, S/20370/Add.16, S/20370/Add.21, S/20370/Add.30, S/20370/Add.32, S/20370/Add.37, S/20370/Add.44, S/20370/Add.46, S/20370/Add.47, S/20370/Add.51, S/21100/Add.4, S/21100/Add.21, S/21100/Add.30, S/21100/Add.47, S/22110/Add.4, S/22110/Add.21, S/22110/Add.30, S/22110/Add.47 and S/23370/Add.4)

In a letter dated 17 February 1992 addressed to the President of the Security Council (S/23604), the Permanent Representative of Lebanon to the United Nations requested that an urgent meeting of the Security Council be convened to consider the latest acts of aggression by Israel against the sovereignty and territorial integrity of Lebanon and its continuous occupation of southern Lebanon and part of the Bekaa, which constituted a flagrant violation of the Charter of the United Nations and Security Council resolutions and posed a grave threat to international peace and security.

The Security Council resumed its consideration of the item at its 3053rd meeting, on 19 February 1992, on the basis of the above request.

The President stated that, following consultations among the members of the Security Council, he had been authorized to make the following statement (S/23610) on behalf of the Council:

"The members of the Council are deeply concerned about the renewed and rising cycle of violence in southern Lebanon and elsewhere in the region. The Council deplores in particular the recent killings and the continued violence, which threatens to claim additional lives and to destabilize the region further.

"The members of the Council call upon all those involved to exercise maximum restraint in order to bring such violence to an end.

"They reaffirm their commitment to the full sovereignty, independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries, as set out in resolution 425 (1978). In this context, they assert that any State shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

/...

"The members of the Council express their continued support for all efforts to bring peace to the region on the basis of resolutions 242 (1967) and 338 (1973). The members of the Council urge all the parties concerned to work vigorously to enhance the ongoing peace process."

Admission of new Members (see S/7382, S/7564, S/8301, S/8555, S/8815, S/8896, S/9961, S/10121, S/10296, S/10327, S/10351, S/10462, S/10762, S/10770/Add.1, S/10855/Add.25, S/10855/Add.29, S/11185/Add.22, S/11185/Add.23, S/11185/Add.24, S/11185/Add.31, S/11185/Add.32, S/11593/Add.31, S/11593/Add.32, S/11593/Add.33, S/11593/Add.38, S/11593/Add.39, S/11593/Add.41, S/11593/Add.48, S/11935/Add.25, S/11935/Add.33, S/11935/Add.36, S/11935/Add.45, S/11935/Add.46, S/11935/Add.47, S/11935/Add.48, S/12269/Add.27, S/12269/Add.29, S/12520/Add.32, S/12520/Add.48, S/13033/Add.36, S/13737/Add.7, S/13737/Add.30, S/14326/Add.27, S/14326/Add.38, S/14326/Add.45, S/15560/Add.38, S/16270/Add.7, S/21100/Add.15, S/21100/Add.32, S/22110/Add.31, S/22110/Add.36, S/23370/Add.2, S/23370/Add.3, S/23370/Add.4, S/23370/Add.5 and S/23370/Add.6)

By a note dated 20 February 1992 (S/23619), the Secretary-General circulated the application of the Republic of San Marino for membership in the United Nations, contained in a letter dated 19 February 1992 from the Secretary of State for Foreign and Political Affairs of the Republic of San Marino to the Secretary-General.

At the 3054th meeting, on 21 February 1992, in accordance with the provisions of rule 59 of the provisional rules of procedure of the Security Council and in the absence of a proposal to the contrary, the President of the Security Council referred the application of the Republic of San Marino to the Committee on the Admission of New Members for consideration and report.

Further report of the Secretary-General pursuant to Security Council resolution 721 (1991) (see also S/22110/Add.50, S/23370/Add.1 and S/23370/Add.5)

The Security Council resumed its consideration of the item at its 3055th meeting, on 21 February 1992, in accordance with the understanding reached in its prior consultations, having before it the further report of the Secretary-General pursuant to Security Council resolution 721 (1991) (S/23592 and Add.1).

The President, with the consent of the Council, invited the representative of Yugoslavia, at his request, to participate in the discussion without the right to vote.

The President drew attention to the provisional text of a draft resolution (S/23620), which had been prepared in the course of the Security Council's consultations. He also announced a number of revisions to the provisional text of the draft resolution.

The Security Council then proceeded to vote on the provisional text of the draft resolution (S/23620), as orally revised, and adopted it unanimously as resolution 743 (1992).

Resolution 743 (1992) reads as follows:

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, 724 (1991) of 15 December 1991, 727 (1992) of 8 January 1992 and 740 (1992) of 7 February 1992,

Noting the report of the Secretary-General of 15 February 1992 (S/23592) submitted pursuant to resolution 721 (1991) and the request of the Government of Yugoslavia (S/23240) of 26 November 1991 for a peace-keeping operation referred to in that resolution,

Noting in particular that the Secretary-General considers that the conditions permitting the early deployment of a United Nations Protection Force (UNPROFOR) are met and welcoming his recommendation that this Force should be established with immediate effect,

Expressing its gratitude to the Secretary-General and his Personal Envoy for their contribution to the achievement of conditions facilitating the deployment of a United Nations Protection Force (UNPROFOR) and their continuing commitment to this effort,

Concerned that the situation in Yugoslavia continues to constitute a threat to international peace and security as determined in resolution 713 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Article 25 and Chapter VIII of the Charter of the United Nations,

Commending again the efforts undertaken by the European Community and its member States, with the support of the States participating in the Conference on Security and Cooperation in Europe, through the convening of a Conference on Yugoslavia, including the mechanisms set forth within it, to ensure a peaceful political settlement,

Convinced that the implementation of the United Nations peace-keeping plan (S/23280, annex III) will assist the Conference on Yugoslavia in reaching a peaceful political settlement,

1. Approves the report of the Secretary-General of 15 February 1992 (S/23592);

2. Decides to establish, under its authority, a United Nations Protection Force (UNPROFOR) in accordance with the above-mentioned report and the United Nations peace-keeping plan and requests the Secretary-General to take the measures necessary to ensure its earliest possible deployment;

3. Decides that, in order to implement the recommendations in paragraph 30 of the report of the Secretary-General, the Force is established in accordance with paragraph 4 below, for an initial period of 12 months unless the Council subsequently decides otherwise;

4. Requests the Secretary-General immediately to deploy those elements of the Force which can assist in developing an implementation plan for the earliest possible full deployment of the Force for approval by the Council and a budget which together will maximize the contribution of the Yugoslav parties to offsetting its costs and in all other ways secure the most efficient and cost-effective operation possible;

5. Recalls that, in accordance with paragraph 1 of the United Nations peace-keeping plan, the Force should be an interim arrangement to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis;

6. Invites accordingly the Secretary-General to report as appropriate and not less than every six months on progress towards a peaceful political settlement and the situation on the ground, and to submit a first report on the establishment of the Force within two months of the adoption of this resolution;

7. Undertakes, in this connection, to examine without delay any recommendations that the Secretary-General may make in his reports concerning the Force, including the duration of its mission, and to adopt appropriate decisions;

8. Urges all parties and others concerned to comply strictly with the cease-fire arrangements signed at Geneva on 23 November 1991 and at Sarajevo on 2 January 1992, and to cooperate fully and unconditionally in the implementation of the peace-keeping plan;

9. Demands that all parties and others concerned take all the necessary measures to ensure the safety of the personnel sent by the United Nations and of the members of the European Community Monitoring Mission;

10. Calls again upon the Yugoslav parties to cooperate fully with the Conference on Yugoslavia in its aim of reaching a political settlement consistent with the principles of the Conference on Security and Cooperation in Europe and reaffirms that the United Nations peace-keeping plan and its implementation is in no way intended to prejudge the terms of a political settlement;

11. Decides within the same framework that the embargo imposed by paragraph 6 of Security Council resolution 713 (1991) shall not apply to weapons and military equipment destined for the sole use of UNPROFOR;

12. Requests all States to provide appropriate support to UNPROFOR, in particular to permit and facilitate the transit of its personnel and equipment;

13. Decides to remain actively seized of the matter until a peaceful solution is achieved.



Security Council

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ORIGINAL: ENGLISH

SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF
WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE
REACHED IN THEIR CONSIDERATIONAddendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/23370 and Corr.1 of 9 January 1992, S/23370/Add.1 of 17 January 1992 and S/23370/Add.3 of 7 February 1992.

During the week ending 29 February 1992 the Security Council took action on the following items:

Admission of new Members (see S/7382, S/7564, S/8301, S/8555, S/8815, S/8896, S/9961, S/10121, S/10296, S/10327, S/10351, S/10462, S/10762, S/10770/Add.1, S/10855/Add.25, S/10855/Add.29, S/11185/Add.22, S/11185/Add.23, S/11185/Add.24, S/11185/Add.31, S/11185/Add.32, S/11593/Add.31, S/11593/Add.32, S/11593/Add.33, S/11593/Add.38, S/11593/Add.39, S/11593/Add.41, S/11593/Add.48, S/11935/Add.25, S/11935/Add.33, S/11935/Add.36, S/11935/Add.45, S/11935/Add.46, S/11935/Add.47, S/11935/Add.48, S/12269/Add.27, S/12269/Add.29, S/12520/Add.32, S/12520/Add.48, S/13033/Add.36, S/13737/Add.7, S/13737/Add.30, S/14326/Add.27, S/14326/Add.38, S/14326/Add.45, S/15560/Add.38, S/16270/Add.7, S/21100/Add.15, S/21100/Add.32, S/22110/Add.31, S/22110/Add.36, S/23370/Add.2, S/23370/Add.3, S/23370/Add.4, S/23370/Add.5, S/23370/Add.6 and S/23370/Add.7)

At its 3056th meeting, on 25 February 1992, the Security Council had before it the report of the Committee on the Admission of New Members (S/23634), unanimously recommending to the Council a draft resolution concerning the application of the Republic of San Marino for admission to membership in the United Nations.

At that meeting, in accordance with the understanding reached in prior consultations among members of the Council and upon a proposal by the

President, the Security Council adopted without a vote the draft resolution contained in paragraph 4 of the report of the Committee on the Admission of New Members as resolution 744 (1992).

Resolution 744 (1992) reads as follows:

The Security Council,

Having examined the application of the Republic of San Marino for admission to the United Nations (S/23619),

Recommends to the General Assembly that the Republic of San Marino be admitted to membership in the United Nations.

In accordance with the recommendation contained in paragraph 3 of the report of the Committee on the Admission of New Members and in order to present its recommendation to the General Assembly at its resumed forty-sixth session, the Security Council decided to waive the time-limits set forth in the penultimate paragraph of rule 60 of its provisional rules of procedure.

The President stated that he would immediately convey the decision of the Security Council recommending the admission of the Republic of San Marino to membership in the United Nations to the Secretary-General for transmission to the General Assembly in accordance with the provisions of rule 60 of the Council's provisional rules of procedure.

The President then made the following statement on behalf of the members of the Security Council (S/23640):

"The Security Council has just recommended that the Republic of San Marino be admitted to membership in the United Nations. It is with great pleasure that, on behalf of the members of the Council, I congratulate the Republic of San Marino on this happy and historic occasion. We look forward to this further strengthening of the principle of universality.

"San Marino's solemn commitment to uphold the purposes and principles of the Charter is noted with great satisfaction by members of the Council. All the members of the Council look forward to the day, in the near future, when San Marino will join us as a member of the United Nations. We look forward to meeting the representatives of San Marino, and to working closely with them."

The situation in Cambodia (see S/21100/Add.37, S/22100/Add.41, S/22100/Add.43 and S/23370/Add.1)

The Security Council resumed its consideration of the item at its 3057th meeting, held on 28 February 1992, in accordance with the understanding reached in its prior consultations, having before it the report of the Secretary-General on Cambodia (S/23613 and Add.1).

The President drew attention to the text of a draft resolution (S/23651), which had been prepared in the course of the Council's consultations.

The Security Council then proceeded to vote on draft resolution S/23651 and adopted it unanimously as resolution 745 (1992).

Resolution 745 (1992) reads as follows:

The Security Council.

Reaffirming its resolutions 668 (1990) of 20 September 1990, 717 (1991) of 16 October 1991, 718 (1991) of 31 October 1991 and 728 (1992) of 8 January 1992,

Reaffirming also its full support for the Agreements signed in Paris on 23 October 1991 (S/23177, annex),

Noting the report of the Secretary-General of 19 February 1992 (S/23613) submitted pursuant to resolution 718 (1991),

Desiring to contribute to the restoration and maintenance of peace in Cambodia, to the promotion of national reconciliation, to the protection of human rights, and to the assurance of the right to self-determination of the Cambodian people through free and fair elections,

Convinced that free and fair elections are essential to produce a just and durable settlement to the Cambodia conflict, thereby contributing to regional and international peace and security,

Mindful of Cambodia's recent tragic history and determined that the policies and practices of the past will not be repeated,

Expressing appreciation for the work of the United Nations Advance Mission in Cambodia (UNAMIC) in the maintenance of the cease-fire, in mine awareness and mine clearance, and in preparation for the deployment of a United Nations Transitional Authority in Cambodia (UNTAC),

Noting with appreciation the efforts of His Royal Highness Samdech Norodom Sihanouk and the Supreme National Council under his chairmanship in regard to the implementation of the provisions of the Agreements,

Welcoming the appointment by the Secretary-General of a Special Representative for Cambodia to act on his behalf,

1. Approves the report of the Secretary-General of 19 February 1992 (S/23613) containing his plan, which is subject to re-examination in the light of experience, for implementing the mandate envisaged in the Agreements;

2. Decides that UNTAC shall be established under its authority in accordance with the above-mentioned report for a period not to exceed eighteen months;

3. Decides that it is vital that elections be held in Cambodia by May 1993 at the latest as recommended by the Secretary-General in paragraph 38 of his report (S/23613);

4. Requests the Secretary-General to deploy UNTAC as rapidly as possible to implement the above decision, urges that both the deployment and the further implementation of his plan be done in the most efficient and cost-effective way possible, and invites him to that end to keep the operation under continuous review, bearing in mind the fundamental objectives of the Agreements;

5. Calls upon the Supreme National Council of Cambodia to fulfil its special responsibilities set out in the Agreements;

6. Calls further upon all parties concerned to comply scrupulously with the terms of the Agreements, to cooperate fully with UNTAC in the implementation of its mandate, and to take all necessary measures to ensure the safety and security of all United Nations personnel;

7. Calls further upon the Supreme National Council and all Cambodians on behalf of the host country to provide all necessary assistance and facilities to UNTAC;

8. Strongly urges the Cambodian parties to agree to the complete demobilization of their military forces prior to the end of the process of registration for the elections as well as to the destruction of the weapons and ammunition deposited into UNTAC custody in excess of those, if any, which may be deemed necessary by UNTAC for the maintenance of civil order and national defence, or which may be required by the new Cambodian Government;

9. Appeals to all States to provide all voluntary assistance and support necessary to the United Nations and its programmes and specialized agencies for the preparations and operations to implement the Agreements, including for rehabilitation and for the repatriation of refugees and displaced persons;

10. Requests the Secretary-General to report to the Security Council by 1 June 1992 and subsequently to report to the Council in September 1992, January 1993, and in April 1993 on progress to date in the implementation of the present resolution and on tasks still to be performed in the operation, with particular regard to the most effective and efficient use of resources;

11. Decides to remain seized of the matter.

The situation between Iraq and Kuwait (see S/21100/Add.30, S/21100/Add.31, S/21100/Add.32, S/21100/Add.33, S/21100/Add.36, S/21100/Add.37, S/21100/Add.38, S/21100/Add.42, S/21100/Add.43, S/21100/Add.47, S/22110/Add.6, S/22110/Add.7, S/22110/Add.8, S/22110/Add.9, S/22110/Add.13, S/22110/Add.14, S/22110/Add.17, S/22110/Add.20, S/22110/Add.24, S/22110/Add.25, S/22110/Add.32, S/22110/Add.37 and S/22110/Add.40)

The Security Council resumed its consideration of the item at its 3058th meeting, held on 28 February 1992, in accordance with the understanding reached in its prior consultations, having before it the text of a note dated 26 February 1992 by the Secretary-General transmitting a letter and its enclosure dated 25 February 1992 addressed to him by the Executive Chairman of the Special Commission established under Security Council resolution 687 (1991) (S/23643), upon the completion of the latter's mission to Iraq.

The President stated that, following consultations among the members of the Security Council, he had been authorized to make the following statement (S/23663) on behalf of the Council:

"The members of the Security Council express their gratitude to the Secretary-General for the report submitted to the Council on 27 February 1992 (S/23643), transmitting the results of the special mission dispatched to Iraq by the Secretary-General pursuant to the statement of the President of the Council of 19 February 1992 (S/23609). The members of the Council approve in full the conclusions of the special mission as contained in the report and in particular its finding that Iraq is not prepared to give its unconditional agreement to implement all of its obligations under resolutions 687 (1991), 707 (1991) and 715 (1991).

"The members of the Council deplore and condemn the failure of the Government of Iraq to provide the special mission with full, final and complete disclosure, as required by resolution 707 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than 150 kilometres, including launchers, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes; and the failure of Iraq to comply with the plans for ongoing monitoring and verification (S/22871/Rev.1 and S/22872/Rev.1 and Corr.1) approved by resolution 715 (1991). In the statement made on 19 February 1992 (S/23609) prior to the dispatch of the special mission to Iraq the Council noted that Iraq's behaviour constituted a material breach of resolution 687 (1991). Regrettably this continues to be the case.

"Furthermore, the members of the Council equally deplore and condemn Iraq's failure, within the time prescribed by the Special Commission at the request of Iraq, to commence destruction of ballistic missile-related equipment designated for destruction by the Special Commission. The members of the Council reaffirm that it is for the Special Commission alone to determine which items must be destroyed under paragraph 9 of

resolution 687 (1991). Therefore, the Government of Iraq's letter of 28 February 1992 to the Executive Chairman of the Special Commission is unacceptable. Iraq's refusal to implement the determinations of the Special Commission constitutes a further material breach of the relevant provisions of resolution 687 (1991).

"The members of the Council demand that Iraq immediately implement all its obligations under Council resolution 687 (1991) and subsequent resolutions on Iraq. The members of the Council require the Government of Iraq to communicate directly to the Council without further delay an authoritative and unconditional acknowledgement of its agreement to accept and implement the above-noted obligations, including specifically to comply with the determination of the Special Commission requiring the destruction of ballistic missile-related equipment. The members of the Council emphasize that Iraq must be aware of the serious consequences of continued material breaches of resolution 687 (1991).

"The members of the Council note that an Iraqi delegation is prepared to come to New York as soon as it is invited to do so. The members of the Council have asked its President to extend such an invitation to the delegation to come to New York without further delay. The members of the Council intend in any event to continue their consideration of this question no later than the week beginning 9 March 1992."



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SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS OF
WHICH THE SECURITY COUNCIL IS SEIZED AND ON THE STAGE
REACHED IN THEIR CONSIDERATION

Addendum

Pursuant to rule 11 of the provisional rules of procedure of the Security Council, the Secretary-General is submitting the following summary statement.

The list of items of which the Security Council is seized is contained in documents S/23370 and Corr.1 of 9 January 1992, S/23370/Add.1 of 17 January 1992 and S/23370/Add.3 of 7 February 1992.

During the week ending 7 March 1992, the Security Council took no action on any of the items listed therein.



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SUMMARY STATEMENT BY THE SECRETARY-GENERAL ON MATTERS
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Addendum

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During the week ending 14 March 1992, the Security Council took action on the following items:

- (a) The situation between Iraq and Kuwait
- (b) Letter dated 2 April 1991 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council

Letter dated 4 April 1991 from the Chargé d'affaires a.i. of the Permanent Mission of France to the United Nations addressed to the President of the Security Council

Letter dated 5 March 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Belgium to the United Nations addressed to the President of the Security Council

(see also S/21100/Add.30, S/21100/Add.31, S/21100/Add.32, S/21100/Add.33, S/21100/Add.36, S/21100/Add.37, S/21100/Add.38, S/21100/Add.42, S/21100/Add.43, S/21100/Add.47, S/22110/Add.6, S/22110/Add.7, S/22110/Add.8, S/22110/Add.9, S/22110/Add.13, S/22110/Add.14, S/22110/Add.17, S/22110/Add.20, S/22110/Add.24, S/22110/Add.25, S/22110/Add.32, S/22110/Add.37, S/22110/Add.40 and S/23370/Add.8)

The Security Council met to consider the item at its 3059th meeting, on 11 and 12 March 1992 with three suspensions and resumptions, in accordance with the decision taken at its 3058th meeting, on 28 February 1992, as indicated in the statement by the President of the Security Council of the same date (S/23663), and as agreed in the Council's prior consultations.

The President, in accordance with the understanding reached in the Council's prior consultations, invited the delegations of Iraq and Kuwait to participate in the consideration of the item on the Council's agenda in accordance with Article 31 of the Charter of the United Nations and rule 37 of the Council's provisional rules of procedure.

The President, in accordance with the understanding reached in the Council's prior consultations, extended invitations under rule 39 of the Council's provisional rules of procedures to Mr. Hans Blix, Director General of the International Atomic Energy Agency (IAEA), and His Excellency Mr. Rolf Ekeus, Executive Chairman of the Special Commission.

The President recalled that, on 14 February 1992, the President of the Council had informed the Council about the interest of the Government of Iraq in sending a high-level technical team to respond to any questions that the members of the Council might put to it on all aspects of Iraq's compliance with resolution 687 (1991) and other relevant resolutions.

The President stated that, following consultations among the members of the Security Council, he had been authorized to make the following introductory statement (S/23699) on behalf of the Council:

"I. GENERAL OBLIGATION

"1. The resolutions concerning the situation between Iraq and Kuwait impose a number of general and specific obligations upon Iraq.

"2. As regards the general obligation, Iraq is required, under paragraph 33 of Security Council resolution 687 (1991), to give official notification to the Secretary-General and to the Security Council of its acceptance of the provisions of that entire resolution.

"3. Iraq signified its unconditional acceptance in letters dated 6 and 10 April 1991 (S/22456 and S/22480, respectively) and 23 January 1992 (S/23472).

"4. When the Security Council met at the level of Heads of State and Government on 31 January 1992 the concluding statement made by the President of the Council, on behalf of its members (S/23500), contained the following passage:

'Last year, under the authority of the United Nations, the international community succeeded in enabling Kuwait to regain its sovereignty and territorial integrity, which it had lost as a result of Iraqi aggression. The resolutions adopted by the Security Council remain essential to the restoration of peace and stability in the region and must be fully implemented. At the same time the members of the Council are concerned by the humanitarian situation of the innocent civilian population of Iraq.'

"5. On 5 February 1992, the President of the Security Council issued a statement on behalf of its members (S/23517) in which he stated, among other things:

'In connection with the Secretary-General's factual report (S/23514) on Iraq's compliance with all the obligations placed upon it by resolution 687 (1991) and subsequent relevant resolutions, the members of the Security Council note that while much progress has been made, much remains to be done. ... The members of the Council are disturbed by the lack of Iraqi cooperation. Iraq must implement fully resolution 687 (1991) and subsequent relevant resolutions as was stated in the statement read out by the President of the Council on behalf of its members in the meeting held on 31 January 1992 with the participation of the heads of State and Government (S/23500).'

"6. In a statement made on behalf of the Council on 28 February 1992 (S/23663), the President said:

'The members of the Council demand that Iraq immediately implement all its obligations under Council resolution 687 (1991) and subsequent resolutions on Iraq. The members of the Council require the Government of Iraq to communicate directly to the Council without further delay an authoritative and unconditional acknowledgement of its agreement to accept and implement the above noted obligations, including specifically to comply with the determination of the Special Commission requiring the destruction of ballistic missile-related equipment. The members of the Council emphasize that Iraq must be aware of the serious consequences of continued material breaches of resolution 687 (1991).'

"7. I must also draw attention to the further report of the Secretary-General on the status of compliance by Iraq with the obligations placed upon it (S/23687).

"8. From the aforementioned statements by the President and in view of the reports of the Secretary-General, it will be seen that, despite Iraq's statements of unconditional acceptance of Security Council resolution 687 (1991), the Security Council has determined that Iraq is not in full compliance with all of its obligations.

"II. SPECIFIC OBLIGATIONS

"9. In addition to the general obligation to accept the provisions of resolution 687 (1991) in their entirety, several Security Council resolutions impose specific obligations upon Iraq.

"(a) Respect for the inviolability of the international boundary

"10. By paragraph 2 of resolution 687 (1991) the Security Council demands that Iraq respect the inviolability of the international boundary and the allocation of islands previously agreed upon between Iraq and Kuwait. Pursuant to paragraph 3 of that resolution, the Secretary-General established a Boundary Demarcation Commission to demarcate the boundary between Iraq and Kuwait. Paragraph 5 of the same resolution requires Iraq and Kuwait to respect a demilitarized zone (DMZ) established by the Security Council. The Council has been informed that Iraq has respected the DMZ and that it has fully participated in the work of the Boundary Demarcation Commission. It has also been informed that Iraq refuses to withdraw a number of police posts that are not in line with UNIKOM's principle that both sides should stay 1,000 metres from the boundary line shown on UNIKOM's map.

"(b) Weapons-related obligations

"11. Section C of resolution 687 (1991) imposes certain specific obligations upon Iraq with respect to its chemical and biological weapons programmes, its ballistic missile programmes with a range greater than 150 kilometres and its nuclear programmes. These obligations are elaborated upon in resolutions 707 (1991) and 715 (1991). The obligations are defined in paragraphs 8, 9, 10, 11, 12 and 13 of resolution 687 (1991) and they are elaborated upon in paragraphs 3 and 5 of resolution 707 (1991) and paragraph 5 of resolution 715 (1991).

"12. The information relevant to Iraq's compliance with the obligations laid down in the paragraphs of the Security Council resolutions to which I have just referred is reproduced in annex I to the Secretary-General's report (S/23687).

"13. By resolution 699 (1991), the Security Council decided that the Government of Iraq shall be liable for the full costs of carrying out the tasks authorized by section C of resolution 687 (1991). No funds have so far been received from Iraq to meet this liability.

"14. The Council has noted that since the adoption of resolution 687 (1991) progress has been made in the implementation of section C of that resolution but that much remains to be done. There is serious non-compliance with the obligations concerning the programmes for weapons of mass destruction and ballistic missiles and the members of the Council have found this to be a continuing material breach of resolution 687 (1991).

"15. The Special Commission has informed the Council about the outstanding matters that would at the present time appear to be the most important. The Council's attention is invited again to annex I of the Secretary-General's report, S/23687 of 7 March 1992.

"16. The Council has also noted the statement by the International Atomic Energy Agency (IAEA) contained in the Secretary-General's report of 25 January 1992 (S/23514, section C of the annex). The attention of the Council is drawn to information annexed to the further report of the Secretary-General, S/23687 (annex II), of 7 March 1992, relative to the two last inspections by IAEA, on Iraq's compliance with its obligations under United Nations Security Council resolutions as they relate to nuclear activities.

"17. In a statement issued on behalf of the members of the Council (S/23609), the President stated on 19 February 1992 that:

'Iraq's failure to acknowledge its obligations under resolutions 707 (1991) and 715 (1991), its rejection up until now of the two plans for ongoing monitoring and verification and its failure to provide the full, final and complete disclosure of its weapons capabilities constitute a continuing material breach of the relevant provisions of resolution 687 (1991).'

"18. In a further statement made on 28 February 1992 on behalf of the Council (S/23663), the President said:

'The members of the Council deplore and condemn the failure of the Government of Iraq to provide the Special Commission with full, final and complete disclosure, as required by resolution 707 (1991), of all aspects of its programmes to develop weapons of mass destruction and ballistic missiles with a range greater than 150 kilometres, including launchers, and of all holdings of such weapons, their components and production facilities and locations, as well as all other nuclear programmes; and the failure of Iraq to comply with the plans for ongoing monitoring and verification approved by resolution 715 (1991). ... Furthermore, the members of the Council equally deplore and condemn Iraq's failure, within the time prescribed by the Special Commission at the request of Iraq, to commence destruction of ballistic missile-related equipment designated for destruction by the Special Commission. The members of the Council reaffirm that it is for the Special Commission alone to determine which items must be destroyed under paragraph 9 of resolution 687 (1991).'

"(c) Repatriation of and access to Kuwaiti and third-country nationals in Iraq

"19. As regards Kuwaiti and third-country nationals in Iraq, Security Council resolutions 664 (1990), 666 (1990), 667 (1990), 674 (1990), 686 (1991) and 687 (1991) impose an obligation on Iraq to release, facilitate repatriation of, and arrange for immediate access to them, as well as the return of the remains of any deceased personnel of the forces of Kuwait and of the Member States cooperating with Kuwait pursuant to resolution 678 (1990). Furthermore, paragraph 30 of resolution 687 (1991) requires Iraq to extend all necessary cooperation to the International Committee of the Red Cross (ICRC) in facilitating the search for Kuwaiti and third-country nationals still unaccounted for.

"20. The Security Council was informed by ICRC in January 1992 that almost 7,000 persons have returned from Iraq to their countries since the beginning of March 1991. ICRC also stated that despite all its efforts, there are still thousands of persons reported missing by the parties to the conflict.

"21. A special commission composed of the representatives of France, Iraq, Kuwait, Saudi Arabia, the United Kingdom and the United States has met under the auspices of ICRC to try to reach an agreement on, among other things, the implementation of paragraph 30 of resolution 687 (1991). However, ICRC has informed the Council that it has not yet received any information as to the whereabouts of the persons reported missing in Iraq. Nor has it received detailed and documented information on the search conducted by the Iraqi authorities. Finally, it is also still awaiting information on persons who have died while in custody.

"22. The attention of the Council is drawn to section 4, paragraphs 12 to 14, of the Secretary-General's report contained in document S/23687 of 7 March 1992.

"(d) Iraq's liability under international law

"23. Another obligation concerns Iraq's liability under international law. In resolution 674 (1990), the Security Council reminds Iraq 'that under international law it is liable for any loss, damage or injury arising in regard to Kuwait and third States and their nationals and corporations, as a result of the invasion and illegal occupation of Kuwait by Iraq'. Its liability under international law is reaffirmed in paragraph 2 (b) of resolution 686 (1991) and paragraph 16 of resolution 687 (1991). Resolution 687 (1991) further specifies that it 'is liable under international law for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait'.

"24. By paragraph 18 of the same resolution, the Security Council created a Fund to pay compensation for claims that fall within paragraph 16, to be financed by a percentage of the value of the exports of petroleum and petroleum products from Iraq. In view of the existing economic sanctions against Iraq under resolution 661 (1990), Iraq was permitted by the Security Council under resolutions 706 (1991) and 712 (1991) to sell a limited quantity of oil, as an exception, a portion of the proceeds from which would be used to provide financial resources for the Fund. To date, it has not availed itself of this possibility. The Council notes that this authorization is due to lapse on 18 March 1992. The members of the Council are aware of a request by Iraq for a five-year moratorium on meeting its financial obligations, including payments into the Compensation Fund.

"(e) Repayment and servicing of Iraq's foreign debt

"25. With regard to another obligation, the Security Council, in paragraph 17 of resolution 687 (1991), demands that Iraq scrupulously adhere to all of its obligations concerning servicing and repayment of its foreign debt.

"26. The attention of the Council is drawn to paragraphs 17 and 18 of the Secretary-General's report (S/23687) of 7 March 1992.

"(f) Return of property

"27. I now turn to the question of return of property. The Security Council, in paragraph 2 (d) of resolution 686 (1991), demands that Iraq immediately begin to return all Kuwaiti property seized by it, to be completed in the shortest possible period. The members of the Council have noted with satisfaction that, as stated in the further report of the Secretary-General, Iraqi officials involved with the return of property have extended maximum cooperation to the United Nations to facilitate the return.

"(g) Monthly statements of gold and foreign currency reserves

"28. Another obligation is set out by paragraph 7 of resolution 706 (1991), under which the Government of Iraq is required to provide to the Secretary-General and appropriate international organizations monthly statements of its gold and foreign currency reserves. To date, no such statements have been provided to the Secretary-General or to IMF.

"(h) Undertaking not to commit or support acts of international terrorism

"29. By paragraph 32 of resolution 687 (1991), Iraq is required not to commit or support acts of international terrorism or allow any organization directed towards commission of such acts to operate within its territory and to condemn unequivocally and renounce all acts, methods, and practices of terrorism.

"30. The Council notes Iraq's statements contained in letters dated 11 June 1991 (S/22687 and S/22689) and 23 January 1992 (S/23472) that it is a party to international conventions against terrorism and that it has never pursued a policy favourable to international terrorism as defined by international law.

"(i) Security Council action with respect to the Iraqi civilian population

"31. Resolutions 706 (1991) and 712 (1991) provide a means for Iraq to meet its obligations to supply its civilian population with needed humanitarian assistance, particularly food and medicine. To date, Iraq has refused to implement these resolutions. In fact after initiating discussions with Secretariat representatives on implementation, Iraq abruptly terminated the discussions.

"III. SECURITY COUNCIL RESOLUTION 688 (1991)

"32. I should now like to refer to the demands by the Security Council with respect to the Iraqi civilian population. In paragraph 2 of resolution 688 (1991), the Security Council demands that Iraq, as a contribution to removing the threat to international peace and security in the region, end the repression of its civilian population. In paragraphs 3 and 7, the Security Council insists that it allow immediate access by international humanitarian organizations to all those in need of assistance in all parts of Iraq, and demands its cooperation with the Secretary-General to these ends.

"33. The Security Council remains deeply concerned at the grave human rights abuses that, despite the provisions of resolution 688 (1991), the Government of Iraq continues to perpetrate against its population, in particular in the northern region of Iraq, in southern Shi'a centres and in the southern marshes (Commission on Human Rights resolution 1992/71 of 5 March 1992). The Security Council notes that this situation is confirmed by the report of the Special Rapporteur of the Commission on Human Rights (E/CN.4/1992/31, also to be circulated in document S/23685) and by the comments of the Office of the Executive Delegate of the Secretary-General contained in the further report of the Secretary-General.

"34. The members of the Council are particularly concerned at the reported restrictions on the supplies of essential commodities, in particular food and fuel, which have been imposed by the Government of Iraq on the three northern governorates of Dohuk, Erbil and Suleimaniya. In this regard, as the Special Rapporteur has noted in his report, inasmuch as the repression of the population continues, the threat to international peace and security in the region mentioned in resolution 688 (1991) remains.

"IV. CONCLUDING OBSERVATION

"35. In view of the observations on the record of Iraq's performance, the Security Council has considered itself justified in concluding that Iraq has not fully complied with the obligations placed upon it by the Council. It is the Council's hope and expectation that this meeting will prove an invaluable opportunity to advance in the consideration of this issue as required in the interest of world peace and security, as well as that of the Iraqi people."

After a brief suspension of the second resumption of the 3059th meeting, on 12 March 1992, the President stated that, in concluding the present stage of the Council's consideration of the item, he had been authorized, following consultations among members of the Security Council, to make the following statement (S/23703) on behalf of the Council:

"The views of the Security Council having been expressed through its President and by the statements of its members on the extent of compliance by the Government of Iraq with its obligations under the relevant Security Council resolutions, the Security Council has listened with close attention to the statement by the Deputy Prime Minister of Iraq and his responses to the questions posed by Council members.

"The members of the Security Council wish to reiterate their full support for the statement made by the President of the Council on their behalf at the opening of the 3059th meeting (S/23699).

"In the view of the Security Council, the Government of Iraq has not yet complied fully and unconditionally with those obligations, must do so and must immediately take the appropriate actions in this regard. It hopes that the goodwill expressed by the Deputy Prime Minister of Iraq will be matched by deeds."
